



Nuckolls County Board Minutes



AUGUST 25, 2014 PROCEEDINGS OF THE NUCKOLLS COUNTY BOARD OF COMMISSIONERS

The Nuckolls County Board of Commissioners met Monday, August 25, 2014 in the Board Meeting Room at the Courthouse, Nelson, Nebraska, per recess of August 18, 2014. Brown, Combs, and Corman present for the meeting. The agenda of said meeting was remitted to board members in advance of the meeting and is posted in the County Clerk's office and on the County Website. Chairman Brown announced the 'Open Meetings Act Law' as posted in the Commissioners Board Meeting Room and handouts are available.

The board reconvened at 9:02 a.m. Chairman Brown approved the Agenda as submitted and the August 18, 2014 minutes as submitted.

Gary Warren, Highway Superintendent and Cindy Buescher, Executive Secretary met with the Board to give the weekly update on the road department. Warren updated the Board on Project C-65(691). The second mile of the 3 miles of Road 4100 from Rd T to Hwy 4 is complete. Project C-65(683) the Aurora Coop Road in Superior. Windstream completed the relocation of cable line, however waiting on other items. All the guys are out blading county roads this week and both gravel trucks are out hauling gravel to the roads. Warren reported that to have a grooved line painting on the Superior truck route it would cost the county \$46,200.00. The board did not approve of this cost. One of the County gravel trucks broke down and is in the shop.

Perry Elting and Barry Melvin were present to discuss the issue regarding an Easement for Gas Line requested by Perry Elting to allow Perry to run a Natural Gas line in the County Road Right-of-Way along the property owned by Barry Melvin. Also present is Tim Schmidt, County Attorney. Chairman Brown handed out copies of State Statutes 57-1101 & 57-1102 regarding crossing public road or highways; rights acquired; restrictions and the Acquisition of property by eminent domain; authorized; procedure. Brown noted he didn't feel these pertained to this situation. Schmidt noted the eminent domain rule applies to large entities such as KANEB. This would be a situation determined by a County Judge if a petition was filed in County Court. Brown asked if all parties could meet on their own time to discuss and try to come to an agreement. Barry Melvin and Ruth McLaughlin were the only landowners who have not signed an agreement with Elting. Chairman Brown requested to have this put on the agenda again next week to make a determination. No action taken at this time.

A public hearing was held at 9:35 a.m. to hear public comments regarding the closing of County Road 4000 from Road U, North 2,407 foot, North across Oxbow Creek between Sections 33 & 34, T4N-R6W, Nuckolls County. No public attended this hearing. A motion was made by Brown to proceed to the next step in vacating said road and the motion was seconded by Corman. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.

Wim Kersten with Berggren Architects met with the Board to present their proposal for the 2 County Projects of repair of the Courthouse Gutters and the expansion and repairs to the County Sheriff's Department. Kersten noted they are proposing to bid both projects together. The Board determined they did not agree. The Courthouse Gutters requires different type of work than what the Sheriff's Department requires. Kersten noted if they bid them together it would keep the costs down. The Board wanted the bids to be separate. They want the courthouse gutter project to be bid right away. The Board noted there would be more work required on the Sheriff's Department. The Board would like Berggren Architects to do the architectural work on the Sheriff's Department.

Lonnie Lemke requested an Executive Session for personnel reasons. A motion was made by Brown to go into Executive Session at 10:04 a.m. for personnel reasons with the 3 Board members, Clerk Kassebaum and Lemke present and Combs seconded the motion. Brown voted aye, Combs voted aye, Corman voted



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aye, 0 voted nay. **Motion carried.** A motion was made by Brown to leave Executive Session at 10:06 a.m. and the motion was seconded by Corman. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. **Motion carried.**

Royce Gonzales, District Court Clerk and Tim Schmidt, County Attorney met with the Board to discuss getting a new copier for the Courts. Gonzales requested to be allowed to spend up to \$750.00 for 62 months to lease a copier. The Board agreed to lease a copier rather than fix the old one. No action taken. This will be on the agenda next week.

Carl Watts met briefly with the Board to request that the trees pushed down and put in a pile by his property in Highland Precinct, not be burned as he has new fence close by. The Board noted they will pass this on to the Highway Superintendent.

Chairman Brown recessed at 10:29 a.m. for Board of Equalization Meeting.
Chairman Brown reconvened at 10:30 a.m.

The City of Superior submitted a letter requesting the County to reimburse them for 2 new receivers and 2 new sirens. The City noted they were required to install these items due to updates made to the 911 equipment in Nelson by the County. Chairman Brown noted that the 911 Budget will not support these costs especially if all cities and villages in Nuckolls County were to get this equipment paid for. **A motion was made by Brown to deny the request from the City of Superior for reimbursement on two new receivers and two new sirens, the total cost is \$7,340.00 and the motion was seconded by Corman. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.**

A motion was made by Corman to approve the Business Associate Agreement between Mid-American Benefits, Inc. and Nuckolls County for the Employee Medical and Dental Insurance for the 2014/2015 fiscal year and the motion was seconded by Combs. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.

Gary Warren, Highway Superintendent and Cindy Buescher, Executive Secretary were present for the discussion of a Sick Leave Bank Program for the Nuckolls County employees as previously submitted. It was noted that elected officials are exempt from this program. It was also noted the hours would be donated as needed. The Board requested Buescher to type forms for the application and the donation of hours for the sick leave bank. The committee for approving the application for use of the donated sick leave hours will be the Chairman of the Board of Commissioners, County Attorney and the employee's supervisor. A Resolution Modifying County Personnel Policy to Allow Sick Leave Bank was submitted for approval. **A motion was made by Brown to approve the Resolution Modifying county Personnel Policy to Allow Sick Leave Bank and the motion was seconded by Combs. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.**

Gonzales of the Budget Making Authority met with the Board to discuss and determine the final figures for the 2014/2015 County Budget. **Also the Budget Making Authority is requesting the Board to approve the additional 1% increase in the LC3 Lid Computation Schedule for the 2014/2015 budget. A motion was made Brown to approve the additional 1% increase as above noted and the motion was seconded by Combs. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.**

The Board and the Budget Making Authority discussed the Road budget with the Highway Superintendent and the Executive Secretary. It was proposed by Brown to cut out \$300,000.00 to \$400,000.00 from the road budget and then budget that amount to be transferred from Inheritance Tax to the Road budget. This will bring the county levy down. **A motion was made by Brown to cut \$400,000.00 from the Road Department budget**



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and to transfer \$400,000.00 from Inheritance Tax to the Road Budget and not ask for those tax dollars and the motion was seconded by Combs. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.

A motion was made by Corman to raise the County Clerk budget \$400.00 and the motion was seconded by Combs. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried.

The following inventories were submitted for Board approval: County Assessor, County Attorney, County Board, County Clerk, County Court, District Court, Drivers' Examiner & Superintendent of Schools, Election Commissioner, Emergency Manager, Extension, Highway Superintendent, Jail, Miscellaneous, Real Estate, Sheriff, Treasurer, Veteran's Service Office, and the 911 Emergency. A motion was made by Brown to accept all inventories as submitted and the motion was seconded by Corman. Brown voted aye, Combs voted aye, Corman voted aye, 0 voted nay. Motion carried. The inventories not received are the Custodian and the Noxious Weed.

As there is no further business the meeting recessed at 1:33 p.m. until Tuesday, September 2, 2014.

Arnold Brown, Chairman
By: Jackie L. Kassebaum, County Clerk